IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	**3:10-CR-00260 (7)**
	§	**JUDGE HAYNES**
HASSAN AHMED DAHIR	§	

DEFENDANT HASSAN AHMED DAHIR'S MOTION FOR SEVERANCE AND INCORPORATED MEMORANDUM OF LAW

Comes Defendant, Hassan Ahmed Dahir, through undersigned counsel, Patrick T. McNally, and, pursuant to the Due Process Clause of the United States Constitution and the Defendant's right to a fair trial, hereby respectfully moves this Honorable Court for an Order severing the trial of Defendant Dahir from the trial of the other Defendants because such joinder impermissibly prejudices him under Rule 14 of the Federal Rules of Criminal Procedure.

BACKGROUND

Defendant Dahir is one of thirty (30) defendants charged in a twenty-four (24) Count Superseding Indictment filed on May 5, 2011. (Docket Entry no. 591). The conspiracy is alleged to have occurred over a lengthy period of time, and in Count 2 of the indictment, the criminal conduct is alleged to have occurred over ten (10) years. Defendant Dahir asserts that the allegations in the Superseding Indictment charges four separate and distinct conspiracies as to Jane Does One, Two, Three and Four.

Defendant Dahir is alleged to be involved in one single occurrence with only Jane Doe Two. Defendant Dahir is alleged to have traveled from Minneapolis, Minnesota to Rochester, Minnesota on May 8, 2007, with Jane Doe Two and three other persons, two who are also indicted: Fatah Haji Hashi (#12) and Yassin Abdirahman Yusuf (#29). The purpose of the trip was allegedly for charging

ORDER
This motion is DENIED because the prejudice cited can be avoid by limiting jury instructions, individualized verdict forms with the list of witnesses and exhibits introduced that relate to the individual defendant.
[signature]
USDJ
3-6-12